

# PETITION FOR ZONING REDISTRICTING AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, IRVIN F. HAWKINS legal owner... of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be re-districted, pursuant to the Zoning Law of Baltimore County, from A.C.S.1 (Commercial Strip) District to an I.M. (Industrial Major) district; for the following reasons:

1. This long established commercial property used for many years as a service station serving the nearby M.L. industrial area is a part of an industrial zone, an M.L. zone, having more than 100 acres or more zoned for industrial and semi-industrial zone, which is undivided by expressways or freeways.
2. The former service station use and the requested special exception for service garage specializing in truck and van repairs, leasing and sales, are both auxiliary commercial uses to serve the larger M.L. area of which this property is a part.
3. That the proper zoning for this property would be commercial in accordance with its long established use, while the requested I.M. District would be the next best alternative to commercial zoning; since in either case when the commercial uses were removed from the M.L. zone, the property should have then been zoned for a service garage (for the operation, repair, lease, hire and sale of trucks and vans to serve the industrial uses and related activities in the surrounding industrial area in an I.M. District).

County to use the herein described property, for a service garage (for the operation, repair, lease, hire and sale of trucks and vans to serve the industrial uses and related activities in the surrounding industrial area in an I.M. District).

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above redistricting and/or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract purchaser: Newton A. Williams  
Address: 930 Middle River Road  
Baltimore County, Md. 21220

Protestant's Attorney: Nolan, Plumbhoff & Williams  
Address: 204 West Pennsylvania Avenue  
Towson, Md. 21204  
823-7800

ORDERED By The Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

Zoning Commissioner of Baltimore County.

(over)

## POINTS OF CHANGE AND ERROR

NORTHERN CORNER OF PULASKI HIGHWAY  
AND MIDDLE RIVER ROAD

The present CS-1 districting is incorrect and the subject tract should be placed in a B.R. zone or other commercial zone, and should be placed in an I.M. district as requested for the following reasons:

1. The subject property has been used for many years for commercial purposes, including long time use as an EXXON service station, and more recently as a boat and marine sales outlet, and the property should be zoned commercially or at least placed completely in an I.M. district to allow accessory commercial uses in the large surrounding M.L. zone.
2. The northern part of the subject tract is zoned M.L.-I.M., and the entire property should have been placed in an I.M. district at the least, rather than erroneously and improperly dividing the property between two districts as at present.
3. That the subject property is a part of a large surrounding M.L. zone, and is commercially used and oriented, and should be placed in an I.M. district to permit accessory commercial uses, such as the proposed service garage for truck repairs and sales.
4. That upon the removal of the commercial uses from the M.L. zone, the subject tract and other commercial properties along Pulaski Highway in this area should have been placed in a commercial zone, or, at the very least, placed in an I.M. district.
5. That the surrounding properties are now and have long been used commercially, and the subject property and surrounding properties should have been zoned commercially or at the least in an I.M. district.

6. That this area of Pulaski Highway has become increasingly commercial in nature during the 1970's and it was and is error to ignore this heightened commercial character, by erroneous zoning and districting.

7. For such other and further reasons as shall be brought out in the course of this redistricting case.

Newton A. Williams  
Newton A. Williams

Nolan Plumbhoff Williams  
Nolan, Plumbhoff & Williams  
204 W. Pennsylvania Avenue  
Towson, Maryland 21204  
823-7800

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RE: PETITION FOR RECLASSIFICATION :  
from M.L.-C.S. 1 District to :  
M.L.-I.M. District and :  
SPECIAL EXCEPTION for a :  
Service Garage :  
NW corner Pulaski Highway and :  
Middle River Road :  
15th District :  
Irvin F. & Dorothy E. Hawkins :  
Petitioners :  
Item No. 9  
Cycle V

## ORDER OF DISMISSAL

Petition of Irvin F. and Dorothy E. Hawkins for reclassification from M.L.-

C.S. 1 District to M.L.-I.M. District and a special exception for a Service Garage on property located at the northwest corner of Pulaski Highway and Middle River Road, in the Fifteenth Election District of Baltimore County.

WHEREAS, the Board of Appeals is in receipt of a letter of withdrawal of petition filed July 30, 1979 (a copy of which letter is attached hereto and made a part hereof) from the attorney representing the Petitioners in the above entitled matter.

WHEREAS, the said attorney for the said Petitioners requests that the petition filed on behalf of said Petitioners be withdrawn as of July 30, 1979.

IT IS HEREBY ORDERED this 31st day of July, 1979, that said petition be and the same is DISMISSED.

COUNTY BOARD OF APPEALS  
OF BALTIMORE COUNTY

William T. Hackett  
William T. Hackett, Acting Chairman

LeRoy B. Spurr  
LeRoy B. Spurr

John A. Miller  
John A. Miller

Paul Lee P.E.

Paul Lee Engineering Inc.  
305 W. Pennsylvania Ave.  
Towson, Maryland 21204  
821-5311

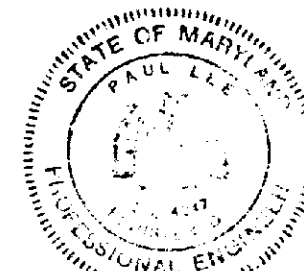
## DESCRIPTION 1.4 ACRE ± PARCEL

NORTHEAST CORNER PULASKI HIGHWAY AND MIDDLE RIVER ROAD,  
FIFTEENTH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND.

This Description is for Special Exception in an M.L. Zone.

Beginning for the same at the point of intersection of the west right-of-way line of Pulaski Highway (U. S. 40 East) with the north right-of-way line of Middle River Road, thence binding on the north right-of-way line of Middle River Road the two following courses and distances, (1) N 58 degrees 25 minutes W 15.53 feet, thence (2) by a curve to the left with a radius of 1260.5 feet, the arc distance being 144.74 feet, thence binding on said property lines the three following courses and distances (3) N 08 degrees 55 minutes E 293.14 feet; (4) N 65 degrees 48 minutes E 32.4 feet and (5) S 41 degrees E 329.39 feet to intersect the west right-of-way line of Pulaski Highway, thence binding on said right-of-way line (6) S 49 degrees W 200 feet to the place of beginning.

Containing 1.4 acres ± of land, more or less.



Engineers — Surveyors — Site Planners 2/12/79

Paul Lee P.E.

Paul Lee Engineering Inc.  
305 W. Pennsylvania Ave.  
Towson, Maryland 21204  
821-5311

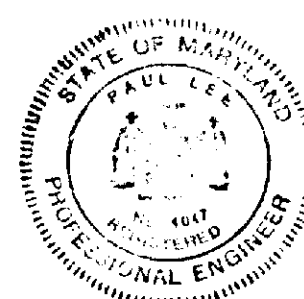
## DESCRIPTION 1.13 ACRE ± PARCEL

NORTHEAST CORNER PULASKI HIGHWAY AND MIDDLE RIVER ROAD,  
FIFTEENTH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND.

This Description is for Redistricting from an "M.L.-C.S.1" Zone to an "M.L.-IM" Zone.

Beginning for the same at the point of intersection of the west right-of-way line of Pulaski Highway (U. S. 40 East) with the north right-of-way line of Middle River Road, thence binding on the north right-of-way line of Middle River Road the two following courses and distances, (1) N 58 degrees 25 minutes W 15.53 feet (2) by a curve to the left with a radius of 1260.5 feet, the arc distance being 144.74 feet, thence leaving Middle River Road in a northeasterly direction (3) N 08 degrees 55 minutes E 117 feet ± to intersect the "M.L.-IM" Zone Line as shown on Baltimore County Zoning Map NE 6 H; thence binding on said Zoning Line, parallel to Pulaski Highway (4) N 49 degrees E 167 feet ±; thence leaving said zoning line and binding on the northeast property line of the subject parcel (5) S 41 degrees E 225 feet ± to intersect the west right-of-way line of Pulaski Highway, thence binding on said right-of-way line (6) S 49 degrees W 200 feet to the place of beginning.

Containing 1.13 acres ± of land, more or less.



Engineers — Surveyors — Site Planners 2/12/79

July 31, 1979

Newton A. Williams, Esquire  
204 W. Pennsylvania Avenue  
Towson, Maryland 21204

Re: Item No. 9, Cycle V  
Irvin F. & Dorothy E. Hawkins

Dear Mr. Williams:

Enclosed herewith is a copy of the Order of Dismissal of Petition passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

Edith T. Elserhart  
Edith T. Elserhart, Adm. Secretary

Encl.

cc: Irvin F. and Dorothy E. Hawkins  
Mr. W. E. Hammond  
Mr. J. E. Dyer  
Mr. J. D. Seyffert  
Mr. J. Howell

NOV 07 1979